

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE SERVICE OUTSIDE CITY LIMITS.
4. STORAGE OF ANHYDROUS AMMONIA TANKS.

CHAPTER 1

FIRE DISTRICT

SECTION

7-101. Fire limits described.

7-101. Fire limits described. The corporate fire limits shall be and include the area described by and designated as B-1 and B-2 business districts as shown on the official zoning map. (1983 Code, § 7-101)

¹Municipal code reference

Building, utility and housing codes: title 12.

Public safety department: title 20, chapter 2.

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted.
- 7-202. Enforcement.
- 7-203. Definition of "municipality."
- 7-204. Storage of explosives, flammable liquids, etc.
- 7-205. Gasoline trucks.
- 7-206. Variances.
- 7-207. Violations.

7-201. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Standard Fire Prevention Code,² 1994 edition with 1995 revisions, as recommended by the Southern Building Code Congress International, Inc., is hereby adopted by reference and included herein as a part of this code; except the following shall be added to Section 2002.2:

It is hereby permitted that fireworks, as allowed by the state of Tennessee, to be sold in the City of Dyer, Tennessee, during the periods June 20 through July 5 and December 10 through January 2; and fireworks may be used or expended in the City of Dyer, Tennessee during the days that fireworks may be sold within the City of Dyer, Tennessee.

Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of the fire prevention code has been filed with the recorder and is available for public use and inspection. Said fire prevention code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (Ord. #95-68, Oct. 1995, modified)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the fire chief. He shall have the same powers as the state fire marshal. When reference is made to the duties of a certain official named herein, that designated official of the City of Dyer who has duties corresponding to those of the named official in the fire code shall be deemed to

¹Municipal code reference

Building, utility and housing codes: title 12.

²Copies of this code are available from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206.

be the responsible official insofar as enforcing the provisions of the fire code are concerned. (1983 Code, § 7-202, as amended by Ord. #96-75, July 1996)

7-203. Definition of "municipality." Whenever the word "municipality" is used in the fire prevention code herein adopted, it shall be held to mean the City of Dyer, Tennessee. (1983 Code, § 7-203)

7-204. Storage of explosives, flammable liquids, etc. The limits referred to in § 1901.4.2 of the fire prevention code, in which storage of explosive materials is prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 902.1.1 of the fire prevention code, in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 906.1 of the fire prevention code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 1701.4.2 of the fire prevention code, in which bulk storage of liquefied petroleum gas is restricted, are hereby declared to be the fire limits as set out in § 7-101 of this code. (1983 Code, § 7-204)

7-205. Gasoline trucks. No person shall operate or park any gasoline tank truck within the central business district or within any residential area at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline. (1983 Code, § 7-205)

7-206. Variances. The fire chief may recommend to the city council variances from the provisions of the fire prevention code upon application in writing by any property owner or lessee, or the duly authorized agent of either, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such variances when granted or allowed shall be contained in a resolution of the city council. (1983 Code, § 7-206)

7-207. Violations. It shall be unlawful for any person to violate any of the provisions of this chapter or the fire prevention code herein adopted, or fail to comply therewith, or violate or fail to comply with any order made thereunder; or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken; or fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein. The application of a

penalty under the general penalty clause for the municipal code shall not be held to prevent the enforced removal of prohibited conditions. (1983 Code, § 7-207)

CHAPTER 3

FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-301. Fire service outside city limits.

7-302. Rural fire service.

7-301. Fire service outside city limits. (1) The Mayor of the City of Dyer, Tennessee, is authorized and empowered to enter into "Mutual Aid Fire Protection Interlocal Cooperation Agreements" on behalf of the City of Dyer, Tennessee.

(2) The city fire chief of the City of Dyer, Tennessee, is designated and directed to be the official representative of the City of Dyer, Tennessee, to the joint board created to carry out the powers of such agreement as provided therein. (1983 Code, § 7-301)

7-302. Rural fire service. No fire equipment shall be used for fighting any fire outside the corporate limits of the city unless a rural fire service contract has been properly executed and filed with the city recorder. This contract will state that the property owner will be responsible for the \$500 fee and contains a certification of appropriate coverage by the insurance agent. The city fire department shall not answer any call for rural fire service if the property owner has failed to file rural fire service contract, unless there is life endangered, a request is made by the state highway patrol, sheriff's department, rescue squad, ambulance personnel, and the discretion of the Dyer Fire Department officers to respond to a vehicle accident or vehicle fire, or unless the fire is on city owned property. The owner shall be billed the \$500 fee and if not paid the bill shall be referred to the city attorney for collection.

There is hereby established a Rural Fire Service List with an annual charge of \$35.00 per house and/or barn, payable in advance, and no rural fire shall be attended by the Dyer Fire Department unless the same is on the Rural Fire Service List. No service shall be offered beyond the area of the official Rural Fire Service Map in the Recorder's Office in Dyer, Tennessee. (Ord. #97-86, June 1997, as amended by Ord. #2004-137, June 2004)

CHAPTER 4

STORAGE OF ANHYDROUS AMMONIA TANKS

SECTION

7-401. Storage of anhydrous ammonia tanks.

7-401. Storage of anhydrous ammonia tanks. It shall be unlawful for any property owner, lessor, lessee, or corporation to store or allow to be stored any tanks or containers which contain anhydrous ammonia within the city limits of Dyer, Tennessee unless the following requirements are met:

(1) Anhydrous ammonia tanks are stored within the city limits of Dyer, Tennessee must be illuminated during hours of darkness with sufficient lighting for intruders to be easily observed.

(2) Any area in which anhydrous ammonia is stored must have signs clearly displayed that prohibit criminal trespassing. The signs shall be positioned around all sides of the tanks perimeter.

(3) Anhydrous ammonia tanks stored within the city limits of Dyer, Tennessee must be contained by a metal fence at least six feet in height. The style/type of fence utilized may be determined by the owner/occupant of the property, as long as the fence does not obstruct the view of the tanks or allow entry on said property where said tanks are located. Persons already storing anhydrous ammonia tanks within the Dyer city limits shall have sixty (60) days from the enactment of this chapter to comply with all requirements thereof. Notice will be given to the violator(s) allowing them ten days to correct the violation.

(4) Notice will be given to any violator of this chapter allowing them ten days to correct the violation before citation issues.

(5) The City of Dyer Police Department is charged with the enforcement of this chapter. When a violation of this chapter occurs the property owner, lessor, lessee, or corporation responsible for the property and/or storage of anhydrous ammonia shall be issued a citation requiring their appearance at the next scheduled session of Dyer City Court. The Dyer City Court shall take whatever action is necessary to enforce this chapter. A continuing penalty of \$50.00 per day will be assessed for each day the violator fails to comply with this chapter. (as added by Ord. #2002-127, Feb. 2002)